

**LOWER MAHANOY TOWNSHIP
MUNICIPAL AUTHORITY**

WATER RATES, RULES AND REGULATIONS

The following amended Rates, Rules and Regulations shall be and are hereby declared to be the Rates, Rules and Regulations of the Lower Mahanoy Township Municipal Authority for the Water System, effective by resolution duly adopted December 18, 1990, as amended.

The Rates, Rules and Regulations are a part of the contract with every consumer who utilizing the facilities agrees to be bound thereby.

No officer, agent for or employee of the Authority can vary these Rates, Rules and Regulations without action of the Authority nor can bind it by any agreement, representation or act except when authorized in writing to do so by an executive officer of the Authority.

SECTION I - DEFINITIONS

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in these Rates, Rules and Regulations shall be as follows:

"Authority" shall mean the Lower Mahanoy Township Municipal Authority, a Pennsylvania Municipal Authority.

"Commercial Establishment" means any structure or any portion thereof intended to be used wholly or in part for the purpose of carrying on a trade, business or profession or for social, amusement, religious, educational, charitable or public uses, and which contains plumbing for kitchen, toilet, water fountain or washing facilities.

"Industrial Establishment" means any structure intended to be used wholly or in part for the manufacturing, fabricating, processing, cleaning, laundering or assembly of any product, commodity or article.

"Private Dwelling or Living Unit" means a structure or dwelling intended to be occupied as a whole by one family or an apartment intended to be occupied by one family or any other one-family unit.

"Mobile Home Court" means large tracts of land used for the prime purpose of parking mobile homes or travel trailers for permanent living purposes.

"Apartment Complex" means a building or buildings consisting of several one-family living units.

"Improved Property" shall mean any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and to which structure water shall be supplied.

"Owner" shall mean any Person vested with ownership, legal or equitable, sole or partial, of any Improved Property.

"Person" shall mean any individual, partnership, trust, association, corporation, municipality, municipal authority or any other group or entity.

"Water Consumer or Consumer" as used hereinafter means an owner of real estate who applies for service and enters into an agreement therefore for a supply of water to his property.

"Water Rental" means that monthly charge for direct or indirect connection with the use of the Water System of the Authority.

"Water System" shall mean all facilities, as of any particular time for pumping, transporting and treating water and owned by the Authority.

"Building Water Connection" means the extension from the water system of any structure to the Service Connection of the Water System.

"Service Connection" means that part of the Water System extending from the Water Line to the Curb Line, or if no such water Connection shall be provided, then Service Connection shall mean that portion of, or place in, a Water Line which is provided for connection of any Building Water Connection.

"Township" means the Township of Lower Mahanoy, Northumberland County, Pennsylvania, acting by and through its Board of Supervisors or, in appropriate cases, by and through its authorized representatives.

"Water Line" means any pipe or main constituting part of the Water System used or usable for water

SECTION II - REQUIRED CONNECTIONS TO WATER SUPPLY SYSTEM

The Owner of any Improved Property abutting upon the Water System shall connect such Improved Property in such manner as this Authority may require, within sixty days after notice to such owner from this Authority to make such connection, for the purpose of procuring such owner's supply of water for such Improved Property, subject to such limitations and restrictions as shall be established herein or otherwise by this Authority, from time to time.

The notice by this Authority to make a connection to the Water System, referred to in the previous paragraph of this section, shall consist of a written or printed document requiring such connection in accordance with the provisions of these

Rates, Rules and Regulations and specifying that such connection shall be made sixty days from the date such notice is given. Such notice may be given at any time after the Water System is in place, which can supply water to the particular Improved Property. Such notice shall be served upon the Owner either by personal service or by certified mail or by such other method as at the time may be provided by law.

SECTION III - BUILDING WATER CONNECTIONS

No person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, the Water System without first making application for and securing a permit, in writing, from this Authority. Said permit shall be obtained from the Authority. Owner shall also obtain as a precondition of the Authority's grant of a permit all other permits in the name of the Authority when required.

Application for a permit required under the previous paragraph of this section shall be made by the owner of the Improved Property.

No person shall make or cause to be made a connection of any Improved Property to the Water System until such Person shall have fulfilled each of the following conditions:

1. Such Person shall have notified the Authority of the desire to connect such Improved Property to the Water System.
2. Such Person shall have applied for and obtained a permit as required by this Section.
3. Such Person shall have given the Authority sufficient notice so that the Authority may inspect the work of connection and necessary testing prior to back filling.
4. Such Person shall have satisfied to the Authority all required tapping and connection fees.

Except as otherwise provided in this section, each Improved Property shall be connected separately and independently with the Water System through the Building Water Connection. Grouping Building Water Connection shall not be permitted, except under special circumstances and then only after special permission of this Authority, in writing, shall have been secured and subject to such rules, regulations and conditions as may be prescribed by this Authority.

All costs and expenses of construction of a Building Water Connection and all costs and expenses of connection to the Service Connection shall be borne by the owner of the Improved Property to be connected; and such owner shall

indemnify and save harmless the Township and the Authority from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of and/or connection of a Building Water Connection.

A Building Water Connection shall be connected to the Service Connection at the place designated by this Authority or where the Service Connection has been provided.

If the Owner of any Improved Property desires to demolish the Improved Property and abandon the Building Water Connection, the Owner shall first obtain from the Authority a permit for the same in accordance with the first paragraph 3.01 hereof. The abandonment of the Building Water Connection shall be in accordance with the specifications attached hereto as Exhibit "B" and any and all other specifications implemented and adopted by the Authority from time to time.

Adopted September 18, 2007 effective immediately.

If water service to an Improved Property has been discontinued for more than twelve consecutive months, prior to the re-establishment of service, the Owner of the Improved Property must have the Building Water Connection pressure tested by the Owner's certified contractor for appropriate integrity and provide the results to the Authority for review and inspection and also must comply with all other current Rules and Regulations of the Authority including those related to Building Water Connections. The Owner of the Improved Property shall be responsible for the cost of pressure testing as well as the Authority's inspection fee set forth in these Rules and Regulations.

Adopted February 19, 2019 effective immediately.

Amended July 16, 2019 effective immediately.

Upon a proposed change of ownership of any Improved Property, the Owner shall notify the Secretary of the Authority, or his designee, at least 5 business days in advance of the intention to transfer or change ownership of any Improved Property. Upon notification, the Authority shall inspect the Building Water Connection for compliance with all provisions of the Rules and Regulations for Building Water Connections, which may be in effect at the time of the proposed change of ownership. If the Building Water Connection, is not in compliance with the Rules and Regulations then in effect for Building Water Connections, the Owner shall immediately bring the Building Water Connection into compliance with the current Rules and Regulations, prior to any change of ownership of the Improved Property. The Owner shall pay to the Authority an inspection fee of \$50.00, for said inspection, except if the Improved Property is connected to both the sewer and water system operated by the Authority, then only one inspection fee of \$50.00 shall be assessed. Upon completion of said inspection, the Authority shall issue a certification of compliance if the Improved Property is in compliance with the Rules and Regulations for Building Water Connections.

Amended February 21, 2023, effective immediately.

SECTION IV - FAILURE TO MAKE REQUIRED CONNECTIONS

If the owner of any Improve Property located in this Township fails to connect after sixty days, notice from this Authority, in accordance with Section II, the Authority may make such connection and may collect from such owner the costs and expenses thereof. In such case, the Authority shall forthwith, upon completion of the work, send an itemized bill of the cost of the construction of such connection to the owner of the Improved Property to which connection has been made, which bill shall be payable forthwith. In case of neglect or refusal by the Owner of such Improved Property to pay said bill, this Authority shall file a municipal lien for said construction of said connection, the same to be subject in all respects to general law providing for the filing and recovery of municipal liens.

SECTION V - RULES AND REGULATIONS GOVERNING BUILDING WATER CONNECTIONS

No Building Water Connection shall be covered until it has been inspected and approved by the Authority and if any part thereof is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner involved.

Every Building Water Connection of any Improved Property shall be maintained in a sanitary and safe operating condition by the owner.

Every excavation for a Building Water Connection shall be guarded adequately with barricades and lights to protect all persons from damage and injury; and streets, sidewalks and other public property disturbed in the course of installation shall be restored, at the cost of the Owner of the Improved Property being connected, in a manner satisfactory to this Authority.

If any Person shall fail or refuse, upon receipt of a notice of this Authority, in writing, to remedy any unsatisfactory condition with respect to a Building Water Connection, within sixty days of receipt of such notice, this Authority may refuse to permit such Person to receive water from the Water System until such unsatisfactory condition shall have been remedied to the satisfaction of this Authority.

Service Lines must be direct and continuous. No sleeves will be permitted on the Service Lines.

Pipe used for Building water or Service Lines shall be Type K copper or equal for two-inch lines and smaller and P.V.C. or ductile iron for over two-inch lines.

SECTION VI – TAPPING, CONNECTION AND RESERVATION OF CAPACITY FEES FOR WATER SERVICE

No person shall connect any Improved Property with any part of the Water System without first making application for and securing a permit, in writing, from the Authority. Such application shall be made on a form to be provided by the Authority. The cost of the permit shall be \$50.00.

Amended November 17, 2009, effective immediately.

Connection Fee

This Authority does charge a connection fee against the Owner of any Improved Property whenever such Owner hereafter shall connect any such Improved Property with the Water System. Such connection fee is charged for connection of each such Improved Property by the Owner of such Improved Property.

The amount of the connection fee shall be the direct cost for materials, labor, meter, fringe benefits, engineering and legal charges necessary for Water System extension to provide the requested service and may be performed either by the owner or the Authority. If the work is performed by the owner he shall pay a \$50.00 inspection fee which shall be assessed as the connection fee in such case. Said inspection to be performed within 48 hours of Owners notification to the Authority of work completion. Said work to be performed in accordance with the specifications of the Authority. If the work is performed by the Authority subcontractor, the connection fee shall be the direct costs of materials, labor, meter, fringe benefits, engineering and legal charges necessary for Water System extension to provide the requested service as well as the inspection costs of \$50.00 which shall constitute the connection fee in such case.

All connection fees shall be payable to the Authority.

Payment of the connection fee charged by this Authority shall be enforced by this Authority in any manner appropriate under laws in effect at the time.

Amended November 17, 2009, effective immediately

Tapping Fee

A tapping fee as set forth herein is imposed upon and shall be collected by the Authority from the Owner of each Improved Property which physically shall connect such Improved Property to the Water System, for the use of the Water System, whether such use shall be direct or indirect. Such tapping fee is charged

for the connection of each Domestic Establishment and each Nondomestic Establishment as follows:

1. The amount of the tapping fee for connection of each Domestic Establishment shall be \$3,500.00. In case of a combination of one or more Domestic Establishments with a similar unit or units and each thereto having the use of the Water System through one water connection, then each such Domestic Establishment shall be charged the rates herein provided as though each thereof were in a separate structure and as though each thereof had a direct and separate connection to the Water System.

2. The amount of the tapping fee for connection of each nonresidential Improved Property which is charged for water service on a metered basis shall be determined on the basis of one equivalent Domestic Establishment for each 163 gallons used daily or for each 163 gallons of water estimated to be used daily. If necessary, the usage shall be estimated by the Authority's Consulting Engineer using standard engineering procedures. The tapping fee shall be the equivalent Domestic Establishment times \$3,500.00. After one year following the date of connection, the Authority may make an analysis of actual monthly usage, and the Authority may thereafter adjust the tapping fee previously collected, either upward or downward based upon the actual monthly usage. In no event shall the tapping fee be less than \$3,500.00. Should any modifications, expansion or other changes occur that will increase the usage, additional tapping fees will be charged in accordance with this paragraph. The aforesaid tapping fee is calculated in accordance with Section 306(t) of the Municipality Authority's Act Of 1945, 53 P.S. §306(t) with the said calculation of the tapping fee compromising the capacity part and the distribution/collection part being attached hereto as Exhibit "A". The Authority reserves the right to impose the special purpose part and the reimbursement component part of the tapping fee upon appropriate owners as the situation may arise but has not calculated the same for the purpose of these Rules and Regulations. The Authority has further elected not to charge the maximum amount of the tapping fee as set forth in Exhibit "A" and reserves the right to increase the tapping fee as the situations warrant.

Reservation of Capacity Fee

The amount of the reservation of capacity fee for each Domestic Establishment shall be \$410.40 for the reservation of capacity for each Domestic Establishment per year.

The reservation of capacity fee for each non-residential improved property shall be \$2.52 per daily gallon of reserved capacity per year.

AMENDED JUNE 21, 2005, EFFECTIVE JULY 1, 2005.

After connection of any property to the Water System, all existing private Water Systems must be severed and a right of inspection by the Authority of said property at the discretion of the Authority is hereby granted.

Upon change of ownership of any Improved Property, a Customer contract for service must be filed and a fee of \$40.00 must be paid. The Authority may discontinue service until such a new contract has been made and approved by the Authority and a reconnection fee of \$100.00 is assessed.

Amended November 17, 2009, effective immediately

No water connections or disconnection shall be made except with the approval of the Authority's authorized representative.

No cross connections shall be made to the Water System. Where cross connections or causes of pollution may exist, the Consumer shall place a backflow preventer or a double check valve assembly ahead of any service connection.

Any Person required by law to connect or whose contract for water service has been approved shall use the system for water service.

SECTION VII - WATER METERS

All 3/4-inch Private Dwelling domestic connections to the Water System of the Authority shall be through 5/8-inch meters. All such meters shall be furnished by the Authority and remain property of the Authority, and be accessible to and subject to its control and inspection.

All 3/4-inch or larger Commercial Establishment nondomestic connections to the Water System of the Authority shall be metered. All meters which are desired either by Consumer or Authority shall be purchased by the Authority and shall be paid in full by Consumer before installation. The meter will remain the property of the Authority. The Consumer shall be responsible for the maintenance, safekeeping and repair of any such meter, whether such repairs shall be made necessary by ordinary wear and tear or other causes. These meters will be subject to all other conditions set forth in these Rates, Rules and Regulations.

All non-owner occupied Living Units shall be metered except those non-owner occupied Living Units for which no rent is charged. The determination of such exemption from the metering requirement shall be at the sole discretion of the Authority. All meters which are required pursuant to this Paragraph shall be purchased by the Authority and shall be paid in full by Consumer before installation. The meter will remain the property of the Authority. The Consumer shall be responsible for the maintenance, safekeeping and repair of any such meter, whether such repairs shall be made necessary from ordinary wear and tear or other causes. These meters will be subject to all other conditions set forth in these Rates, Rules and Regulations.

All 5/8-inch Private Dwelling domestic meters which are furnished by the Authority will be maintained by the Authority so far as ordinary wear and tear are concerned, but damage due to freezing or external causes due to the negligence of Consumer shall be paid by Consumer.

Cost of additional meters for multiple units in addition to the one provided under the tapping fee cost will be charged at the prevailing cost.

The Authority shall be responsible for the reading of all meters or other measuring devices and the same shall be available to employees and agents of the Authority at all reasonable times.

Representatives of the Authority shall have the right of access at reasonable times to any part of any Improved Property served by the Water System and any meters for the purpose of establishing or determining volumes for or for any other purpose as set forth in these Rules and Regulations.

Adopted September 18, 2007, effective immediately.
Amended February 19, 2018, effective immediately.

SECTION VIII - DISCONTINUANCE OF SERVICE

The Authority may discontinue service to any Consumer for reasons deemed to be in the Authority's best interest. Among the reasons are the following:

1. For the use of water for any other property than that described in the contract.
2. For willful waste of water through improper pipes, fixtures or otherwise.
3. For damaging, either intentional or otherwise, any service pipe, meter curb stop or seal, or any other system appurtenance of the Authority.
4. For making or refusing to sever any cross connection between a pipe or fixture carrying water furnished by the Authority.
5. Lack of payment for a period in excess of sixty days from the date payment is due.
6. Violation of any Rule or Regulation or to prevent damage or loss to the sanitary Sewer System operated by the Authority.

Amended February 19, 2019, effective immediately.

SECTION IX - USAGE CHARGES

Monthly usage charges will be made for water service. For customers which do not yet have a water meter a flat charge of \$38.00 shall be imposed per month. Metered customers shall pay \$38.00 for the first 1,000 gallons consumed and \$9.50 per thousand gallons thereafter.

In case of a combination of one or more Private Dwelling or Living Units Domestic Establishments with a similar unit or units and each thereto having the use of the Water System through one water connection, then each such Private Dwelling or Living Units Domestic Establishment shall be charged the rates herein provided as though each were in a separate structure and as though each thereof had a separate connection to the Water System.

Nondomestic Commercial Establishments shall pay a surcharge of \$.25 per 1,000 gallons for fire protection water service.

Mobile Home Court and Apartment Complex Service: The Owner of each Improved Property may make one connection to the Authority's Water System and use one meter to furnish water to the Improved Property for which he will be subject to the minimum charge of \$38.00 per month for each mobile home pad or apartment unit. Water consumed in excess of the total minimum gallons allowed for such minimum charges paid shall be billed to the owner in accordance with the schedule provided in this section.

AMENDED DECEMBER 16, 2008, EFFECTIVE JANUARY 1, 2009

AMENDED DECEMBER 17, 2013, EFFECTIVE JANUARY 1, 2014

Amended February 19, 2018, effective immediately.

For service less than a full monthly period, the listed rates will be prorated for the period of usage or prorated on usage, whichever is greater.

SECTION X - BILLING AND COLLECTION OF WATER RENTS, RATES AND CHARGES

Bills for water service will be rendered on the first business day of each month, or at such other times as the Authority may choose from time to time. All bills are due in fifteen days.

Every Owner of an Improved Property, which is connected to the Water System, shall provide the Authority with his correct address. Failure of any Person to receive bills for water rentals or charges shall not be considered an extension of the period of time during which the net bill shall be payable.

All bills for water service shall constitute the net bill and shall be due and payable as of the date thereof. If any such net bill for water service shall not be paid after same shall become due and payable, such net bill shall be deemed

delinquent and a penalty of ten percent shall be added to such net bill, said, 10% penalty shall be payable every 30 days the net bill remains unpaid which net bill, plus such penalty, shall constitute the gross bill. Payment made at the designated payment location on or before the last day of such fifteen day period, as above set forth, shall constitute payment within such period. If the end of such fifteen day period shall fall on a legal holiday or on a Sunday, payment made on the next business day shall constitute payment within such fifteen day period.

AMENDED JUNE 21, 2005, EFFECTIVE JULY 1, 2005

SECTION XI - LIENS FOR WATER RENTALS; FILING AND COLLECTION OF LIENS

All bills remaining unpaid after sixty days have elapsed from the date they are due shall be cause for termination of service and shall become a lien on the Improved Property charged. The lien may be collect by an action at law in the name of the Authority against the owner of the Improved Property charged, or may be enforced against such Improved Property by filing a Municipal Lien.

If water service is terminated for non-payment as aforesaid, a reconnection fee of \$150.00 shall be assessed against the Customer and shall be paid prior to the reconnection of the Improved Property to the Water System together with all delinquent water rentals.

AMENDED, EFFECTIVE JANUARY 16, 2018

At the discretion of the Authority, the Water System to any Improved Property may be terminated for non-payment of water rentals, as provided in the Pennsylvania Act of April 14, 1949, P.L. 482, as amended, 53 P.S. §2261 et seq.; provided, however, that the water bill must be in arrears in excess of sixty days, and the owner must have received notice in writing from the Authority of the intent to terminate service at least ten days before the action is taken, pursuant to said Act.

The owner of any Improved Property connected to the Water System shall be responsible for all acts of tenants or other occupants of such Improved Property in so far as such acts shall be governed by provisions of these Rates, Rules and all connections, service lines and fixtures furnished by owner shall be maintained by him in good order, and all valves, meters, and appliances, furnished and owned by the Authority and on the property of the consumer shall be protected properly and cared for by the consumer. All leaks in the building water connection or any other pipe or fixture in or on the premises supplied must be repaired immediately by the Consumer.

The Authority shall in no event be responsible for maintaining any portion of the Building Connection owned by the Consumer or for damage done by water escaping therefrom or from lines or fixtures on Consumer's property; and

Consumer shall at all times comply with all ordinances and regulations with reference thereto and make changes therein required on account of change or grade relocation of mains or otherwise.

A Water Consumer shall not turn the water on or off at any corporation stop, curb stop or disconnect, or remove the meter or permit its disconnection or removal without the prior, written consent of the Authority.

A Water Consumer shall not tamper or permit tampering with or in any other way cause or permit injury to any meter or any other property of the Authority.

SECTION XIII - ADDITIONS TO AND CHANGES OF WATER RENTALS OR CHARGES; ADOPTION OR ADDITIONAL RULES AND REGULATIONS

This Authority reserves the right to adopt and promulgate, from time to time, additional classifications and water rentals or charges therefor, or modifications of the schedule of water rentals or charges as set forth in these Rates, Rules and Regulations, which additional classifications and water rentals or charges, or modifications, as the case may be, shall be construed as a part of these Rates, Rules and Regulations.

This Authority reserves the right to adopt, from time to time, such additional rules and regulations as it shall deem necessary and proper in connection with use and operation of the Water System, which rules and regulations shall be, shall become and shall be construed as part of the Rates, Rules and Regulations.

SECTION XIV - AUTHORITY'S OBLIGATION

The Authority will use all reasonable and practical measures to notify Consumer of such discontinuance of service as necessity may arise in case of breakdown, emergency or for any other unavoidable cause, Authority shall have the right to cut off the water supply temporarily in order to make necessary repairs, connections, etc. In all events, Authority shall not be liable for any damage or inconvenience suffered by Consumer or anyone claiming under Consumer or for any claim against it at any time for interruption of service, lessening of the supply, inadequate pressure, poor quality of water or for any causes beyond its control.

Authority shall have the right to reserve a sufficient supply of water at all times in its tanks to provide for fire and other emergencies or may restrict or regulate the quantity of water used by a Consumer in case of scarcity or whenever the public welfare may so require.

SECTION XV - USE OF FIRE HYDRANTS

The fire hydrants located on the Water System shall not be used by any person without the express written consent of the Authority. The fire hydrants located on the system may always be used by emergency personnel in case of eminent emergency or fire such as will endanger the public health, safety, and welfare of the citizens of Lower Mahanoy Township, Northumberland County, Pennsylvania. No person, customer, owner or entity may use or obtain water from a fire hydrant without the express written permission of the Authority except as herein before described. The Lower Mahanoy Fire Company and the Hickory Corners and Community Fire Company are hereby authorized to use hydrant No. 24 for the purpose of filling tanker trucks, swimming pools and other vessels if the appropriate report of water usage is filed with the Authority within one (1) week after the use. Usage of hydrant No. 24 for said purpose shall not exceed three (3) tanker truck loads per 24 hour period by each Fire Company. If either Fire Company uses hydrant No. 24 for the purpose of obtaining water for the filling of swimming pools, the Fire Company will be charged on a monthly or quarterly basis, as determined by the Authority, a rate of three (3) cent (\$.03) per gallon for each gallon of water used for the filling of swimming pools.

The filling of tanker trucks, vessels, swimming pools, or other implements used for the storage of water, except as herein before provided, without the express written permission of the Authority is strictly prohibited. Any person, customer, owner, or entity, violating this provision, will be subject to a charge for the actual amount of the water used based on the usage charges set forth in Section IX of the Rates, Rules and Regulations, plus a surcharge of one Hundred (\$100.00) Dollars for the public inconvenience, depletion of the water supply, the endangerment of public health, safety and welfare, and other ills and injuries caused by said action.

AMENDED DECEMBER 17, 2013, EFFECTIVE IMMEDIATELY

Amended June 16, 2015, effective immediately.

Amended December 19, 2017 effective immediately.

Amended June 18, 2019 effective July 1, 2019

SECTION XVI - CONTROL OF BACKFLOW AND CROSS-CONNECTIONS

Section 1 - GENERAL POLICY

- 1.0 Purpose. The purpose of this Regulation is:
 - a. To protect the public water supply system from contamination or pollution by isolating within the consumer's water system contaminates or pollutants which could backflow through the service connection into the public water supply system.

- b. To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and sources or systems containing process fluids.
 - c. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the public and consumer's potable water system.
- 1.1 Application. This Regulation shall apply to all premises served by the public water supply system operated by the Lower Mahanoy Township Municipal Authority.
- 1.2. Policy. The public water supplier and the consumer have the joint responsibility for protection of the public water supply system from contamination due to backflow of contaminants through the water service connection. If in the judgment of the public water supplier or his authorized representative an approved backflow prevention device is required the supplier shall give notice to the consumer to install such approved backflow prevention device at each service connection to his premises. The consumer shall immediately install such approved device or devices at his own expense, and failure, refusal or inability on the part of the consumer to install such device or devices shall constitute grounds for discontinuing water service to the premises until such device or devices have been installed.

Section 2 - DEFINITIONS

For the purpose of this Section XVI the following words shall have the meaning indicated unless clearly indicated otherwise in the text:

- 2.1. Air Gap Separation - means the unobstructed vertical distance through the free atmosphere between the-lowest opening from any pipe or faucet supplying potable water to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. The differential distance shall be at least double the diameter (2 x D) of the supply pipe measured vertically, above the top of the rim of the vessel. In no case, shall the air gap be less than one (1) inch.
- 2.2. Approved - means that a backflow prevention device or method has been accepted by the public water supplier as suitable for the proposed use.
- 2.3. Atmospheric Vacuum Breaker - The term "atmospheric vacuum breakers (also known as the non-pressure type vacuum breaker) shall mean a device

containing a shut-off valve followed by a valve body containing a float-check, a check seat and an, air inlet port. when the shut-off valve is open, the flow of water causes the float to close the air inlet port. When the shut-off valve is closed, the float falls and forms a check valve against back siphonage and at the same time opens the air inlet port.

- 2.4. Auxiliary Water System - Means any water source or system on the premises of or available to the customer except connections to other approved community water supply systems.
- 2.5. Backflow - means a flow condition, induced by a differential in pressure, that causes the flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of a potable water supply system from a source other than its intended source.
- 2.6. Backflow Preventer - A device or other means which will prevent the backflow of water or liquids of questionable quality into the public water supply system.
- 2.7. Backsiphonage - Means the backflow of water or mixture of water and other liquids, gases or other substances from a plumbing fixture or other customer source, into a public water supply system main due to a temporary negative or sub-atmospheric pressure within the public water supply system.
- 2.8. Consumer - means the owner or person in control of any premises supplied by or in any manner connected to a public water supply system.
- 2.9. Consumer's Water System - Means any water system, located on the consumer's premises, supplied by or in any manner connected to a public water supply system. A household plumbing system is considered to be a consumer's water system.
- 2.10. Containment - Means cross-connection control which isolates the customer's entire facility from the public water supply system so as to provide the protection necessary to prevent contamination of the public water supply in the event of backflow from the customer's facility.
- 2.11. Contamination - Means the degradation of the quality of the drinking water by wastewaters, processed fluids, or any water of a quality less than accepted drinking water quality to a degree which would create an actual hazard to the public health through poisoning or through the spread of disease.
- 2.12. Cross-connection - An arrangement allowing either a direct or indirect connection through which backflow, including backsiphonage, can occur

between the drinking water in a public water system and a system containing a source or potential source of contamination.

- 2.13. Degree of Hazard - Means an evaluation of the potential risk to health and the adverse effect upon the public water supply system.
- 2.14. Double Check Valve Assembly - Means an assembly composed of two single, independently acting, check valves including tightly closing shut-off valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve.
- 2.15. Health Hazard - Means any condition, device, or practice in a water system or its operation that creates, or may create, a danger to the health and well being of its users. The word "severe" as used to qualify health hazards means a hazard to the health of the user that could reasonably be expected to result in the significant morbidity or death.
- 2.14. Interchangeable Connection - Means an arrangement or device that will allow alternate but not simultaneous, use of two sources of water.
- 2.15. Non-potable Water - Means water not safe for drinking, personal, or culinary use.
- 2.16. Person - Any individual, partnership, association, company, corporation, municipality, municipal authority, political subdivision or any agency of federal or state government. The term includes the officers, employees and agents of any partnership, association, company, corporation, municipality, municipal authority, political subdivision or any agency of federal or state government.
- 2.17. Pollution - Means the presence in water of any foreign substance that tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.
- 2.18. Potable Water - Means water which is satisfactory for drinking, culinary, and domestic purposes and meets the requirements of the Department of Environmental Protection.
- 2.19. Process Fluids - means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollutional, or system hazard if introduced into the public or a consumer's water system. This includes, but is not limited to:
 - a. polluted or contaminated waters;

- b. process waters;
- c. used waters originating from the public water system which may have deteriorated in sanitary quality;
- d. cooling waters;
- e. contaminated natural waters taken from wells, lakes, streams, or irrigation systems;
- f. chemicals in solution or suspension;
- g. oils, gases, acids, alkalis, and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes;
- h. heating system waters from boilers or heat pumps.

- 2.20. Public Water Supplier - A person who owns or operates a public water system, including the Lower Mahanoy Township Municipal Authority.
- 2.21. Public Water Supply System - A system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term is either a community or non-community water system and includes any collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection with the system. The term includes collection or pretreatment storage facilities not under such control which are used in connection with the system. The term also includes a system which provides water for bottling or bulk hauling for human consumption.
- 2.22 Reduced Pressure Zone (RPZ) Device - means a minimum of two independently acting check valves, together with an automatically operated pressure differential relief valve located between the two check valves. During normal flow and at the cessation of normal flow, the pressure between these two checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks at less than the supply pressure. The unit must include tightly closing shut-off valves located at each end of the device, and each device shall be fitted with properly located test cocks.
- 2.23. Service Connection - means the terminal-end of a service line from the public water supply system. If a meter is installed at the end of the service, then the service connection means the downstream end of the meter.
- 2.24. System Hazard - Means a condition posing an actual or potential threat of damage to the physical properties of the public water system or the consumer's potable water system.

Section 3 - WATER SYSTEM

- 3.1 The water system shall be considered as made up of two parts; the public water supply system and the consumer's water system.
- 3.2 The public water supply system shall consist of the source facilities and the distribution system, and shall include all those facilities of the public water supply system under the control of the public water supplier up to the point where the consumer's water system begins.
- 3.3 The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery, of water to the public distribution system.
- 3.4 The public distribution system shall include the network of conduits used for delivery of water from the source to the consumer's water system.
- 3.5 The consumer's water system shall include all facilities beyond the service connection which are utilized in conveying water from the public distribution system to points of use.

Section 4 - CROSS-CONNECTIONS PROHIBITED

- 4.1 No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public water supply system or consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the public water supplier.
- 4.2 No connection shall be installed or maintained whereby water from an auxiliary water supply may enter a public or consumer's water system unless such auxiliary water supply and the method of connection and use of such supply shall have been approved.

Section 5 - SURVEY AND INVESTIGATIONS

- 5.1 The consumer's premises shall be open at all reasonable times to the public water suppliers, or his authorized representative, for the purposes of conducting surveys and investigations of water use practices within the consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public potable water system.
- 5.2 On request by the public water supplier the customer shall furnish information on water use practices within his premises.

- 5 . 3 It shall be the responsibility of the water consumer to conduct periodic surveys of water use practices on his premises to determine whether there are actual or potential cross-connections to his water system through which contaminants or pollutants could backflow into the public water supply system.

Section 6 - WHERE PROTECTION IS REQUIRED

- 6.1 An approved backflow prevention device shall be installed prior to the first branch line, leading off each service line to a consumer Is water system where, in the judgment of the public water supplier, an actual or potential hazard to the public water supply system exists.
- 6.2 An approved backflow prevention device shall be installed on each service line to a consumer's water system where the following conditions exist:
- a. Systems having an auxiliary water supply, unless such auxiliary supply is accepted as an additional source by the public water supplier and approved by the Department of Environmental Protection.
 - b. Systems where any substance is handled in such a fashion as to create an actual or potential hazard to the public water supply system. This shall include systems having sources or auxiliary systems containing process fluids or waters originating from the public water supply system which are no longer under the sanitary control of the water purveyor.
 - c. Systems having internal cross-connections that, in the judgment of the public water supplier, are not correctable or intricate plumbing arrangements which make it impractical to determine whether or not cross-connections exist.
 - d. Systems where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connection survey.
 - e. Systems having a repeated history of cross-connections being established or reestablished.
 - f. Others specified by the public water supplier.
- 6.3 An approved backflow prevention device shall be installed on each service line to a consumer's water system serving, but not necessarily limited to, the

following types of facilities unless the public water supplier determines that no actual or potential hazard to the public water supply system exists.

- a. Hospitals, mortuaries, clinics, nursing homes.
- b. Laboratories
- c. Piers, docks, waterfront facilities
- d. Sewage treatment plants, sewage pumping station or storm water pumping station
- e. Food or beverage processing plants
- f. Chemical plants
- g. Metal plating industries
- h. Petroleum processing or storage plants
- i. Radioactive material processing plants
- j. Car wash or truck wash
- k. Others specified by the public water supplier

Section 7 - TYPE OF PROTECTION REQUIRED

7.1 The type of protection required under Section 6.1, 6.2, and 6.3 of this Regulation shall depend on the degree of hazard which exists as follows:

- a. An approved air gap separation shall be installed where the public water supply system may be contaminated with substances that are dangerous to the public health and could cause a severe health hazard.
- b. An approved air gap separation or an approved reduced pressure zone backflow prevention device shall be installed where the public water supply system may be contaminated with a substance that could cause a system or health hazard.
- c. An approved air gap separation or an approved reduced pressure zone backflow prevention device or an approved double check valve assembly shall be installed where the public water supply system may be polluted with substances that would be objectionable but not dangerous to health.

Section 8 - BACKFLOW PREVENTION DEVICES

8.1 Any backflow prevention device required by this Regulation shall be of a model or construction approved by the public water supplier and shall comply with the following:

- a. Air gap separation to be approved shall be at least twice the diameter of the supply pipe, measured vertically above the top rim of the vessel, but in no case less than one inch.
- b. A double check valve assembly or a reduced pressure zone backflow prevention device shall be approved by the public water supplier and shall mean a device that has been manufactured in full conformance with the standards established by the American Water Works Association entitled:

AWWA C506 Standards For Reduced
Pressure Principle and Double Check
Valve Backflow Prevention Devices.

Said AWWA standards are herein adopted by the public water supplier. Final approval, however, of the 'Reduced Pressure Principle Backflow Preventer, and the 'Double Check Valve Assembly' shall be evidenced by a certificate of Full Approval' issued by an approved testing laboratory certifying full compliance with the said AWWA standards.

- c. An interchangeable connection to be approved shall be either a swing type connector or a four-way valve of the lubricated plug type that operates through a mechanism which unseats the plug, turns it ninety degrees and reseats the plug. Four-way valves shall not be used as stop valves but must have separate stop valves on each pipe connected to the valve. The telltale port on the four-way valve shall have no piping connected and the threads or flange on this port shall be destroyed so that a connection cannot be made.

8.2 Existing backflow prevention devices approved by the public water supplier at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirement of Section 8.1 of this regulation providing the public water supplier is assured that they will satisfactorily protect the public potable supply system.' whenever the existing device is moved from the present location or requires more than minimum maintenance or when the public water supplier finds that the maintenance of the device constitutes a hazard to health, the device shall be replaced by a backflow prevention device meeting the requirements of this regulation.

Section 9 - INSTALLATION

9.1 Backflow prevention devices required by this regulation shall be installed at a location and in manner approved by the public water supplier and shall be

installed by a person properly qualified and at the expense of the water consumer.

- 9.2 Backflow prevention devices installed on the service line to a consumer's water system shall be located on the consumer's side of the water meter, as close to the meter as is reasonably practical, and prior to any other connection.
- 9.3 Pits or vaults shall be of water-tight construction, be so located and constructed as to prevent flooding and shall be maintained free from standing water by means of either a sump pump or a suitable drain. Such sump pump or drain shall not connect to a sanitary sewer nor permit flooding of the pit or vault by reverse flow from its point of discharge. An access ladder and adequate natural or artificial lighting shall be provided to permit maintenance inspection and testing of the backflow prevention device.

Section 10 - INSPECTION AND MAINTENANCE

- 10.1 It shall be the duty of the consumer at any premises on which backflow prevention devices required by this regulation are installed to have inspections, tests and overhaul made in accordance with the following schedule or more often where inspections indicate a need.
 - a. Air separation shall be inspected at time of installation and at least every twelve months thereafter.
 - b. Double check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every thirty months.
 - c. Reduced pressure zone backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every twelve months thereafter. They shall be dismantled, inspected internally, cleaned and repaired when ever needed and at least every five years.
 - d. Interchangeable connections shall be inspected at the time of installation and at least every twelve months thereafter.
- 10.2 Inspections, tests, and overhaul of backflow prevention devices shall be made at the expense of the water consumer and shall be performed by the public water supplier or a person certified to inspect, test and overhaul backflow prevention devices.

- 10.3 Whenever backflow prevention devices required by this regulation are found to be defective, they shall be repaired, or replaced at the expense of the consumer without delay.
- 10.4 The water consumer must maintain a complete record of each backflow prevention device from purchase to retirement. This shall include a comprehensive listing that includes a record of all tests, inspections and repairs. Records of inspections, tests, repairs and overhaul shall be submitted to the public water supplier upon request.
- 10.5 Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific authorization by the water supplier.

Section 11 - BOOSTER PUMPS

- 11.1 Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cut-off device designed to shut-off the booster pump when the pressure in the service line on the suction side of the pump drops to ten pounds per square inch gauge or less for a period of 30 seconds or longer.
- 11.2 It shall be the duty of the water consumer to maintain the low pressure cut-off device in proper working order and to certify to the public water supplier, at least once a year, that the device is operating properly.

Section 12 - VIOLATIONS

- 12.1 The public water supplier may deny or discontinue, after reasonable notice to the occupants thereof, the water service to any premises wherein any backflow prevention device required by this regulation is not installed, tested and maintained in a manner acceptable to the public water supplier, or if it is found that the backflow prevention device has been removed or by-passed, or if an unprotected cross-connection exists on the premises, or if a low pressure cut-off device required by this regulation is not installed and maintained in working order.
- 12.2 Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with this regulation and to the satisfaction of the public water supplier.

Adopted on this 18th day of October, 2001.

SECTION XVII-SWIMMING POOLS

No Improved Property which is connected to the Water System shall be permitted to use any water from the Water System for the purpose of filling or adding water to a swimming pool whether in-ground, above-ground or inflatable with a size larger than 300 gallons of total capacity without the prior written consent of the Authority. If a Water Consumer desires to fill or add water to a swimming pool, said Water Consumer shall contact the Authority or its operator to obtain written permission as to the time, date and amount of water which the Water Consumer may use to fill or add to a swimming pool and any restrictions that may be placed thereon.

If a Water Consumer or any other person shall violate this provision, the water service to the property in violation may immediately be terminated without prior notice for the purpose of protecting the health, safety and welfare of the other customers and of the Water System. In addition, the violator shall be subject to the payment for the cost for termination or restoration of service, the actual or estimated amount of water used and a penalty of \$300.00 for damage to the Water System and creation of an actual or potential hazard threatening the health, safety and welfare of the other customers and of the system.

This regulation is implemented for the purpose of protecting the public health, safety and welfare of the water system and the water consumers served thereby and to prevent inconvenience to the customers and damage to the water system.

Section XVII adopted on this 18th day of April, 2006.

SECTION XVIII – CONSTRUCTION AND IMPROVEMENT SPECIFICATIONS

All construction, improvements or renovations which may affect the Water System, including but not limited to valve boxes, manholes, curb stops, waterlines, curb boxes or any and all other construction, improvements or renovations, shall be in accordance with the specifications adopted by the Authority from time to time as reviewed and approved by the Authority's Engineer. Prior to any Owner or Water Consumer undertaking any construction, improvements or renovations which may affect the Water System, they shall inform the Authority at least 14 days in advance, except in the case of emergency repairs, of the proposed construction, improvements or renovations and shall obtain from the Authority the appropriate specifications for said construction, improvements or renovations which may apply to the specific project proposed by the Owner or Water Consumer to the Water System. If the Authority deems it necessary for the proposed construction, improvements or renovations to be reviewed by the Authority's Engineer, the Owner or Water Consumer shall reimburse the Authority for the actual cost of said review at the rates currently in effect between the Authority and its Engineer.

Adopted June 16, 2015, effective immediately.